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13 **UNITED STATES DISTRICT COURT**

14 **NORTHERN DISTRICT OF CALIFORNIA**

15 **SAN FRANCISCO DIVISION**

16 MAXIMILIAN KLEIN, et al.,

17 Case No. 20-cv-08570-JD

18 Plaintiffs,

19 Hon. James Donato

20 v.

21 **DECLARATION OF BRIAN J. DUNNE**

22 META PLATFORMS, INC.,

23 **IN SUPPORT OF ADVERTISER**

24 Defendant.

25 **PLAINTIFFS' ADMINISTRATIVE**

26 **MOTION TO CONSIDER WHETHER**

27 **META PLATFORMS, INC.'S MATERIAL**

28 **SHOULD BE SEALED**

1 I, Brian J. Dunne, declare and state as follows:

2 1. I am an attorney licensed in the State of California and admitted to the United States
3 District Court for the Northern District of California. I am a partner at Bathaee Dunne LLP, counsel for
4 the Advertiser Plaintiffs in the above-captioned matter. I have personal knowledge of the facts set forth
5 herein and, if called as a witness, could and would testify competently to them.

6 2. This declaration is made in support of Advertiser Plaintiffs' Administrative Motion to
7 Consider Whether Meta Platforms, Inc.'s Material Should Be Sealed, filed in connection with the
8 concurrently filed discovery dispute letter.

9 3. Certain documents and information referenced in the discovery dispute letter have been
10 designated by Defendant Meta Platforms, Inc., as "Confidential" or "Highly Confidential" under the
11 Stipulated Protective Order (Dkt. No. 314).

12 4. Portions of the discovery dispute letter referencing or reflecting the contents of the
13 documents and information designated by Meta Platforms as "Confidential" or "Highly Confidential"
14 have been redacted from the publicly filed version of the letter. *See* Civil L.R. 79-5(e)(1).

15 5. An unredacted version of the discovery dispute letter with these references highlighted
16 in yellow is filed herewith. *See* Civil L.R. 79-5(e)(2), (f)(1).

17 6. The discovery dispute letter also contains information designated as "Confidential" or
18 "Highly Confidential" by nonparty Snap Inc. This information has also been redacted from the publicly-
19 filed letter, and has been highlighted in green in the unredacted letter filed with this motion.

20 7. Advertiser Plaintiffs' request is limited to documents and information produced by Meta
21 Platforms marked Confidential or Highly Confidential, or information directly reflecting documents
22 and information produced by Meta Platforms marked Confidential or Highly Confidential. This request
23 is thus narrowly tailored to seek sealing only of potentially sealable material.

24 8. The potential sealing of information designated as "Confidential" or "Highly
25 Confidential" by Snap Inc. in the discovery dispute letter is subject to a separate Administrative Motion
26 to Consider Whether Snap Inc.'s Material Should be Sealed.

27 I declare under penalty of perjury that the foregoing is true and correct.

1 Executed on June 15, 2023, in Austin, Texas.

2 /s/ Brian J. Dunne

3 Brian J. Dunne

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